

**Remarks**

Claims 1-12 are pending in the application. Claim 9 is objected to as being in improper form. Claims 10 and 11 are rejected under 35 U.S.C. § 112, Paragraph Two, as being indefinite. Claims 1-3 and 5-8 have been rejected under 35 U.S.C. § 102(b). Claims 4, 8 and 10 has been rejected under 35 U.S.C. § 103(a). . In view of the following remarks, reconsideration and withdrawal of these grounds of rejection is requested.

**Claim Objections**

Claim 9 stands objected to under 37 C.F.R. § 1.75(c) as being in improper dependent form. Claim 9 has been amended to depend from claim 6, and thus this objection is deemed overcome. Reconsideration and withdrawal of this objection is requested.

**Claim Rejections Under 35 U.S.C. § 112**

Claims 11 and 12 [sic] stand rejected under 35 U.S.C. § 112, Paragraph Two, as being indefinite. Claims 11 and 12 have been amended to depend from claim 10, and thus reconsideration and withdrawal of this ground of rejection is respectfully requested.

**Claim Rejections Under 35 U.S.C. § 102**

Claims 1-3 and 5-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Akino (U.S. Pat. No. 6,148,089). For the reasons set forth below, reconsideration and withdrawal of this ground of rejection is respectfully requested.

The present invention comprises, in one exemplary embodiment, a portable communications system 200 including a microphone 212 and a casing 202 including an upper portion 204, a middle portion 214 and a lower portion 206 (See Figs. 2(a) and 2(b)). The portions 202, 204 and 214 form first and second openings 216, 218 which lead into an inlet 220. The openings 216, 218 and inlet 220 provide a tortuous path between the microphone 212 and the exterior of the casing 202. The tortuous path prevents external objects from damaging the microphone 212.

Independent claim 1 now recites:

A microphone enclosure comprising: a casing for containing a microphone for receiving sound and converting said sound into at least one electrical signal; and at least one inlet for allowing sound to reach said microphone; said at least one inlet having a plurality of openings forming at least one tortuous path therein, wherein said microphone is disposed between said at least one inlet and a wall of the casing such that sound can only impinge upon the microphone by traveling through said at least one inlet.

Thus, claim 1 now requires a microphone enclosure wherein a microphone is disposed between "at least one inlet" and a "wall" of a casing such that "sound can only impinge upon the microphone by traveling through [the] at least one inlet." As explained below, Akino fails to disclose, teach or suggest such an invention.

Akino teaches a unidirectional microphone 1 which includes a microphone unit 2 with front and rear acoustic terminals 21, 22, a baffle plate 3 and side acoustic terminals 4 (See Fig. 2B). The microphone unit 2 is disposed within a frame F such that a portion F2 of the frame is spaced away from the baffle plate 3. Sound impinges directly upon the front acoustic terminal 21 and upon the rear acoustic terminal 22 by traveling through the side acoustic terminals 4

(emphasis added).

Akino fails to disclose, teach or suggest a microphone enclosure wherein a microphone is disposed between "at least one inlet" and a "wall" of a casing such that "sound can only impinge upon the microphone by traveling through [the] at least one inlet," as now recited in claim 1.

The Examiner asserts in the Office Action that one of the side acoustic terminals 4 of Akino comprise the "at least one inlet" of claim 1. If this is true, then the microphone unit 2 is not "disposed between" the side acoustic terminal 4 and a casing "wall" such that "sound can only impinge upon the microphone by traveling through [the] at least one inlet." As discussed above, sound impinges upon the microphone unit 2 of Akino from various angles, most importantly directly upon the front acoustic terminal 21 from the exterior of the unidirectional microphone 1. Accordingly, reconsideration and withdrawal of this ground of rejection with respect to claims 1-3 is respectfully requested.

Independent claim 6 has been amended similarly to claim 1, as discussed above. Particularly, claim 6 has been amended to recite a "microphone enclosure" including a microphone such that the microphone is "disposed between" at least one inlet and a wall of a casing "such that sound can only impinge upon the microphone by traveling through said at least one inlet." Therefore, for at least those reasons discussed above with reference to claim 1, reconsideration and withdrawal of this ground of rejection with respect to claims 5-8 is also respectfully requested.

**Claim Rejections Under 35 U.S.C. § 103**

Claims 4 and 8 stand rejected under 35 U.S.C. § 103(a) as being obvious over Akino in view of Hood et al. (U.S. Pat. App. No. 2003/0072131). For the reasons set forth below, reconsideration and withdrawal of this ground of rejection is respectfully requested.

As discussed above, Akino fails to disclose, teach or suggest a microphone enclosure wherein a microphone is disposed between "at least one inlet" and a "wall" of a casing such that "sound can only impinge upon the microphone by traveling through [the] at least one inlet." Hood also fails to disclose, teach or suggest such an invention.

Hood teaches a computer system 100 including integral speakers 162, 172 and integral antennae 164, 174 (See Fig. 2). Hood does not disclose, teach or suggest a microphone enclosure wherein a microphone is disposed between "at least one inlet" and a "wall" of a casing such that "sound can only impinge upon the microphone by traveling through [the] at least one inlet," as now recited in claims 1 and 6, upon which claims 4 and 8 depend. Hence, reconsideration and withdrawal of this ground of rejection is respectfully requested, for at least those reasons highlighted above with reference to independent claims 1 and 6.

Claim 10 stands rejected under 35 U.S.C. § 103(a) as being obvious over Takahashi et al. (U.S. Pat. No. 6,525,854) in view of Akino. For the reasons set forth below, reconsideration and withdrawal of this ground of rejection is respectfully requested.

As discussed above, Akino fails to disclose, teach or suggest a microphone enclosure wherein a microphone is disposed between "at least one inlet" and a "wall" of a casing such that "sound can only impinge upon the microphone by traveling through [the] at least one inlet."

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Takahashi also fails to disclose, teach or suggest such an invention.

Takahashi teaches a portable radio terminal including an antenna 1, a radio transmission-reception section 2, a modulation-demodulation section 3, a coder-decoder 4, a microphone 5 and a speaker (See Fig. 1). Takahashi does not disclose, teach or suggest a "portable radio" including a microphone which is disposed between "at least one inlet" and a "wall" of a casing such that "sound can only impinge upon the microphone by traveling through [the] at least one inlet," as now recited in claim 10. Accordingly, reconsideration and withdrawal of this ground of rejection is respectfully requested, for at least those reasons highlighted above with reference to independent claims 1 and 6.

#### **Conclusion**

In view of the foregoing remarks, Applicants submit that this application is in condition for allowance at an early date, which action is earnestly solicited.

Respectfully submitted,



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